HC-KAR
NC: 2026:KHC:64770
CRL.P No. 1007 of 2021
CNR: KAHC010216552020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL PETITION NO. 1007 OF 2021 (482(Cr.PC) / 528(BNSS))

BETWEEN:

MS AYESHA SADDIQUA
D/O. MR. SYED SIRAJUDDIN
AGED ABOUT 29 YEARS
R/AT NO.6, 3RD MAIN,
2ND CROSS, HOYSALANAGARA,
T C PALYA, RAMMURTHYNAGAR
BENGALURU-560 016.

...PETITIONER

(BY SMT. MAMATHA ROY., ADVOCATE)

AND:

MR OSMAN HARUN HUSSAIN
S/O K M HUSSAIN
AGED ABOUT 35 YEARS
R/AT NO.116, 1ST CROSS,
R K GARDEN NEW B E L ROAD
BENGALURU-560 094.

...RESPONDENT

(BY SRI. KEMPARAJU B G. & SUMAN HEGDE, ADVOCATES)

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

THIS CRL.P. IS FILED U/S. 482 CR.P.C. PRAYING TO SET ASIDE ORDER DATED 21.04.2018 TAKING COGNIZANCE FOR THE OFFENCES P/U/S.417, 420, 465, 468, 471 AND 494 OF THE IPC IN PCR NO.57173/2017 PASSED BY THE X ADDITIONAL CHIEF METROPOLITAN MAGISTRATE, BENGALURU AND CONSEQUENTLY QUASH FURTHER PROCEEDINGS IN CC.NO.54099/2018 FOR THE OFFENCES P/U/S.417, 420, 465, 468, 471 AND 494 OF THE IPC, PENDING ON THE FILE OF THE

X ADDITIONAL CHIEF METROPOLITAN MAGISTRATE, BENGALURU, VIDE ANNEXURE-A.

THIS PETITION COMING ON FOR ADMISSION THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

Learned counsel appearing to the petitioner would submit that the case filed by the complainant before the trial court in C.C. No.54099/2018 was dismissed on 19.11.2022 in view of no representation on behalf of the complainant and a copy of the e-portal order is produced before this court. This court directed the learned counsel to produce the order sheet, but she was not able to get the certified copy of order sheet.

2. This petition is filed seeking a prayer to set aside the order dated 21.04.2018 taking cognizance for the offences punishable under Sections 417, 420, 465, 468, 471 and 494 of IPC in terms of the allegations made in PCR No.57173 of 2017 on the file of X Additional Chief Metropolitan Magistrate, Bangalore, and consequently, to quash further proceedings in C.C. No.54099/2018 for the said offences.

3. Perusal of the order passed in C.C. No.54099/2018 would disclose that the very C.C. was dismissed for non-prosecution and therefore, the present petition filed for quashing of the aforesaid order will not survive, consequent upon dismissal of the very C.C. case. If the C.C. case is restored, then this petitioner will be at liberty to make an application to revive the present petition.

4. With this observation, this criminal petition is disposed of.

Sd/-
(H.P.SANDESH)
JUDGE

CS
List No.: 1 Sl No.: 20